



Docket No.: 1919.1009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshiki TSUCHIYAMA et al.

Serial No. 10/580,211

Group Art Unit: 3653

Confirmation No. 1850

Filed: May 23, 2006

Examiner: SEVERSON, JEREMY R

For: AUTOMATIC PAPER FEEDER

PRE-APPEAL BRIEF CONFERENCE REQUEST

Commissioner for Patents
PO Box 1450
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BOX AF

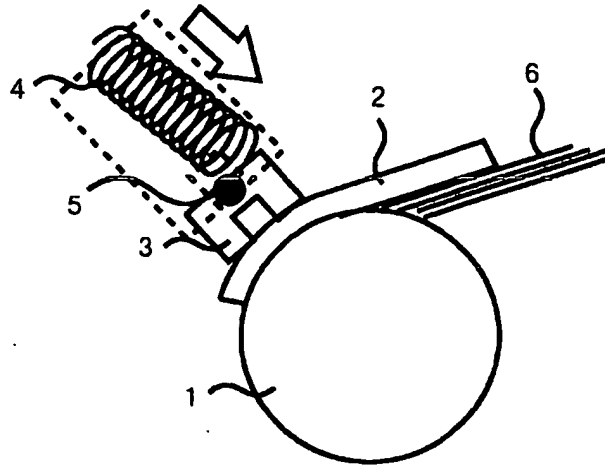
Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. Claims 1-8 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No 4,674,737 to Murayoshi (hereinafter "Murayoshi").

Claim 1 is directed to **an automatic paper feeder** supplying paper to an apparatus, **having a separation pad**, pressing the paper against a pick roller so as to feed the paper one by one, **and pad pressing means**, applying pressure to the separation pad so as to press the separation pad against a surface of the pick roller. The pad pressing means have a reverse U-shape to press the separation pad against the surface of the pick roller at two portions, a front portion and a rear portion, along a rotating direction of the pick roller thereof, and the pad pressing means being configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means.

An embodiment of the features recited in claim 1 is exemplarily illustrated in FIG. 3 of the application, reproduced below, in which 1 is the pick-up roller, 2 is the separation pad, 3 is the pressing means, 4 is the pressing spring, 5 is the rotating fulcrum and 6 is the fed paper.

Fig. 3



The review is requested for the following reasons:

I. Murayoshi does not anticipate or render obvious “wherein the pad pressing means is configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means” as recited in independent claim 1.

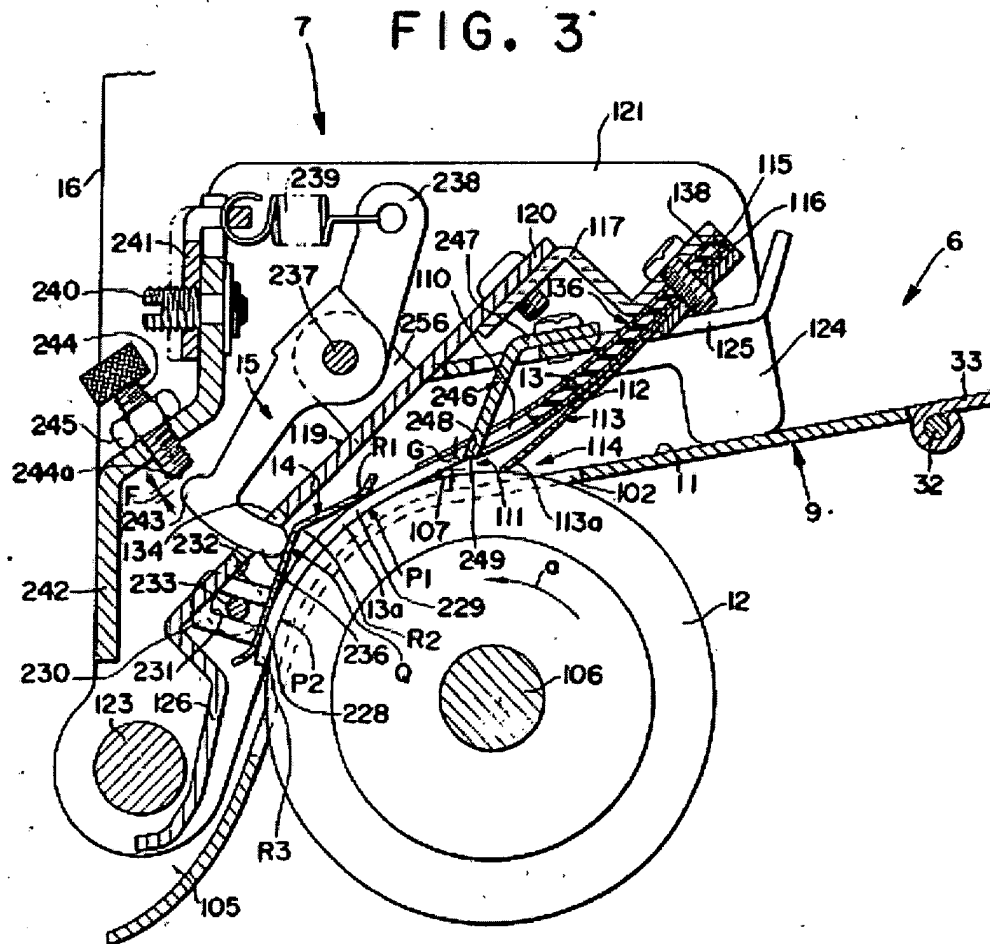
The outstanding Office Action indicates the pressing plate 14 in FIG. 12 as corresponding to the pad pressing means, and then asserts “the pad pressing means is configured to be rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum 552 where pressure is applied to the pad pressing means.” See the last paragraph on page 2 of the outstanding Office Action.

However, element 552 in FIG. 12 of Murayoshi is not a fulcrum, and the pressing plate 14 is not configured to be rotatable around element 552. As described on col. 18, lines 3-7 of Murayoshi, “the pressing plate 14 is supported by a bar 552 which in turn is supported by a bent portion 551 of a bracket 550 for pivotal movement and movement toward and away from the separation roller 12 radially thereof.” Thus, element 552 can be rotated away from the pressing plate 14, but the pressing plate 14 is not rotatable around element 552 which is not a fulcrum.

Further, in the “Response to Arguments” section of the outstanding Office Action, the Examiner asserts that “a description of a similar embodiment explicitly indicates that the fulcrum is loosely inserted in the slots to allow pivotal movement. See col. 7, lines 36-45.” The indicated portion of Murayoshi and corresponding FIG. 3 are reproduced below:

Meanwhile, the support member 119 is formed, as shown in FIG. 3, at an opposite end portion with a pair of upright portions 23 (only one is shown) which extend downwardly to support a guide shaft

233 which is loosely inserted in the slots 231 formed in the support portions 230. This structural arrangement permits the pressing plate 14 to move in pivotal movement about the guide shaft 233 and allows same to move radially of the separation roller 12 within a range restricted by the length of the slots 231.



The arrangement illustrated in FIG. 3 and described in the indicated portion of Murayoshi does not anticipate "the pad pressing means is configured to be **rotatable back and forth with respect to the rotating direction of the pick roller about a fulcrum where pressure is applied to the pad pressing means.**" The pressure applying arm 15 in FIG. 3 applies pressure to the pressing plate 14 in point Q. Murayoshi does not teach or suggest a fulcrum being located in point Q or the pressing plate 14 being rotatable back and forth with respect to the rotating direction about the point Q.

Further in the "Response to Arguments" section, the Examiner asserts "the fulcrum 552 must be freely movable in order for the pressing force at point P2 to be adjustable." Applicants respectfully submit that element 552 in FIG. 12 is not a fulcrum (see above) and that having an

adjustable force applied at P2 is irrelevant relative to the above-identified feature that Murayoshi fails to anticipate.

II. Murayoshi does not anticipate or render obvious “the pad pressing means having a reverse U-shape to press the separation pad against the surface of the pick roller at two portions” as recited in claim 1.

The pressing plate 14 in Murayoshi has a V shape and not a U-shape. A person of ordinary skill in the art would recognize that a U-shaped element as opposed to a V-shaped element has a middle portion at a different angle than each of the straight ending portions, the middle portion being located between the two ending portions.

In view of the above, Applicants respectfully submit that independent claim 1 and claims 2-7 depending directly or indirectly from claim 1, patentably distinguish over the prior art at least because Murayoshi fails to anticipate the pad pressing means having the features recited in claim 1.

III. Murayoshi does not anticipate or render obvious “rotating the pad pressing means about a fulcrum where pressure is applied to the pad pressing means” as recited in claim 8

Contrary to the position expressed in the outstanding Office Action, as argued and illustrated above, the pressing plate 14 in Murayoshi does not rotate around the bar 552, which is NOT a fulcrum.

CONCLUSION

Accordingly, Applicant respectfully submits that the Examiner's rejections are improper and respectfully request that the Office issue a finding that the application is allowed on the existing claims and that prosecution remains closed.

Respectfully submitted,

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Date: April 9, 2009

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